UNITED STATES PATENT AND TRADEMARK OFFICE

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ART UNIT	PAPER NUMBER
2176	

DATE MAILED: 06/01/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *16 March 2006*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-26* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-26* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *3/20/06; 5/1/06*.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

1.   This document is a Final Office Action on the merits.   This action is responsive
to the following communications: Response to Office Action, which was filed on March
16, 2006.

2.   Claims 1-26 are currently pending in the case, with claims 1, 20, 24, 25, and 26
being the independent claims.

3.   Certain documents were identified as missing from IDS filings. Applicants have
provided two missing documents, but the remainder are still not found in the file. See
the discussion of the IDS below.

4.   Claims 18, 19, 22, and 23 were rejected under 35 U.S.C. 112, second paragraph.
Applicants have appropriately amended the claims to obviate the rejections. According,
the rejections are withdrawn.

5.   Claims 18, 19, 22, and 23 were rejected under 35 U.S.C. 101. Applicants have
appropriately amended the claims to obviate the rejections. According, the rejections
are withdrawn.

6.   Claims 1-26 are rejected.

Information Disclosure Statement

7.   Signed and dated copies of applicant's IDS, which were filed on March 20, 2006
and May 1, 2006, are attached to this Office Action.

8.   The Non-Final Office Action noted deficiencies in prior IDS filings. Applicants

submitted the following documents only: Rappaport, "Get More From SharePoint" and

McCright, "New Toolkit . . .." These were the only missing documents provided.

Although Applicants' Response to Office Action states that the missing

documents were provided therewith, with the exception of the above noted documents,

no other missing documents are found in the file. All other documents noted in the Non-

Final Office Action are still missing from the prior IDS filings.

Appropriate correction is required.

Claims Rejections – 35 U.S.C. 103(a)

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

9.   **Claims 1-26** are rejected under 35 U.S.C. 103(a) as being unpatentable over

Altova, "User Reference Manual Version 4.4, XML Spy Suite 4.4," Altova Ges.m.b.H &

Altova, Inc., May 24, 2002 [hereinafter "Altova"], in view of Monson (U.S. Patent

5,412,772, issued May 2, 1995) [hereinafter "Monson"].

It is noted, in general, that the terms "upgrade" and "version" are given broad

definitions in the specification. See, disclosure, pages 7-8.

Regarding **independent claim 1, as amended**, Altova in view of Monson teaches:

A method for upgrading documents for processing by processing

functionality, comprising:

inputting a structured document having particular editing controls

associated therewith into a particular version of the processing functionality;

determining whether each of the particular editing controls matches a set

of expected editing controls associated with the particular version of the

processing functionality; and

modifying the particular editing controls of the input structured document

so that the particular editing controls match the set of expected editing controls to

thereby provide a modified structured document.

(Altova teaches the import and conversion or upgrading of virtually any structured

document. See, Altova, pages 208-209, teaching that the "import text file" function

allows a person to "import any structured text file into XML Spy and convert it to XML

format."

See also, Altova, pages 209-213, teaching importing databases to XML.

See also, Altova, page 213, teaching importing a word document and converting

it to XML.

See also, Altova, page 239, teaching importing hierarchical data and

automatically shaping the data as elements by default.

See, Altova, page 208, teaching that the import file function "is useful when you

want to import legacy data from older systems, as most software products support a text

expert interface of some kind." See also, Altova, page 209, teaching that quotes used to delimit text from numeric values within text may be removed automatically, thereby modifying the structure of the input document to match the features expected in the new document. The resulting modified structured document is expressed in XML.

It is also noted that any "processing functionality" would inherently have a "particular version," and for that reason the term "particular version" is not considered to be limiting.

Altova does not expressly teach the upgrade of "editing controls.

Monson teaches the modification of graphical view items in a view between versions of programs and different programs.

Altova and Monson are combinable in that they both teach the modification of versions of documents to a set upgrade or desired view.

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings of Altova and Monson.

The suggestion or motivation for the combination is the similarity of the two references, with Altova modifying the functionality of the programs to a new standard, and Monson modifying the user interface of programs that are modified to a new standard.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine Altova and Monson to result in the invention specified in claim 1.)

Regarding **dependent claim 2**, Altova in view of Monson teaches:

> *A method according to claim 1, further comprising:*
>
> *transforming the modified structured document into another document*
> *suitable for presentation;*
>
> *displaying the other document suitable for presentation using the*
> *processing functionality to provide a displayed document; and*
>
> *editing the displayed document.*

(The rejection of claim 1 is incorporated herein by this reference. See also, Altova,

pages 69-72, teaching transforming and XML document to an HTML document.

Further, see, Altova, page 70 teaching the "browser view" of the transformed document

and teaching editing of the displayed document.)

Regarding **dependent claim 3**, Altova in view of Monson teaches:

> *The method according to claim 1, wherein the input structured document*
> *is expressed in a markup language that uses tags pertaining to subject matter*
> *fields in the input structured document.*

(The rejection of claim 1 is incorporated herein by this reference. See also, Altova,

pages 218-221, teaching creating an XML document from an existing XML schema.)

Regarding **dependent claim 4**, Altova in view of Monson teaches:

> *The method according to claim 3, wherein the input structured document*
>
> *is expressed in the extensible markup language (XML).*

The rejection of claim 1 is incorporated herein by this reference. See also, Altova,

pages 218-221, teaching creating an XML document from an existing XML schema.)

Regarding **dependent claim 5**, Altova in view of Monson teaches:

> *The method according to claim 2, wherein the other document suitable for*
>
> *presentation is expressed in a markup language that uses tags pertaining to*
>
> *visual features associated with the presentation of the other document.*

(The rejection of claim 1 is incorporated herein by this reference. See also, Altova,

pages 69-72, teaching transforming and XML document to an HTML document. And

see, Altova, page 70 teaching the "browser view" of the transformed document and

teaching editing of the displayed document. Further, see Altova, pages 441-443,

teaching showing the tags in association with the visual features.)

Regarding **dependent claim 6**, Altova in view of Monson teaches:

> *The method according to claim 5, wherein the other document suitable for*
>
> *presentation is expressed in the hypertext markup language (HTML).*

(The rejection of claim 1 is incorporated herein by this reference. See also, Altova,

page 201, teaching that transforming an XML document into "other XML documents or

text files, such as HTML, XHTML, or WML pages" using XSL and XSL Transform

(XSLT).)

Regarding **dependent claim 7**, Altova in view of Monson teaches:

> *The method according to claim 1, wherein the modifying uses an upgrade*
>
> *module that provides a transformation function using extensible stylesheet*
>
> *language (XSL).*

(The rejection of claim 1 is incorporated herein by this reference. See also, Altova,

page 201, teaching that transforming an XML document into "other XML documents or

text files, such as HTML, XHTML, or WML pages" using XSL and XSL Transform

(XSLT).)

Regarding **dependent claim 8**, Altova in view of Monson teaches:

> *The method according to claim 2, wherein the other document suitable for*
>
> *presentation comprises an electronic form having at least one user data entry*
>
> *field therein.*

(The rejection of claim 1 is incorporated herein by this reference. See also, Altova,

pages 318-336, teaching creating, managing, and storing forms.)

Regarding **dependent claim 9, as amended**, Altova in view of Monson teaches:

> The method according to claim 1, wherein the determining of whether each of the particular editing controls matches a set of expected editing controls associated with the particular version of the processing functionality comprises:
>
> determining whether the input structured document contains each editing control expected by the particular version of the processing functionality.

(The rejection of claim 1 is incorporated herein by this reference. See also, Altova, page 176, teaching validation of node sets. See also, Altova, page 211, teaching the creation of empty elements in the modified document to correlate with empty fields in imported tables.)

Regarding **dependent claim 10, as amended**, Altova in view of Monson teaches:

> The method according to claim 9, wherein the modifying of the particular editing controls of the input structured document to produce the modified structured document comprises:
>
> creating each editing control expected by the particular version of the processing functionality to provide created editing controls;
>
> copying editing control content from the input structured document into corresponding created editing controls in the modified structured document for those editing controls in the input structured document that have counterpart

editing controls expected by the particular version of the processing functionality;

and

creating default editing control content in corresponding editing controls in the modified structured document for those created editing controls that do not have counterpart editing controls in the input structured document.

(The rejection of claim 1 is incorporated herein by this reference. It is noted that claim 10 reads on a schema. Altova teaches importing data into a schema. See also, Altova, page 183, teaching uses for schema, including to generate an XML file.)

Regarding **dependent claim 11, as amended**, Altova in view of Monson teaches:

The method according to claim 1, wherein the determining of whether each of the particular editing controls matches a set of expected editing controls associated with the particular version of the processing functionality comprises:

determining whether the input structured document lacks editing controls that were previously classified as optional but are no longer classified as optional in the particular version of the processing functionality.

(The rejection of claim 1 is incorporated herein by this reference. See also, Altova, pages 55-58 and 183, teaching validating and XML instance document. See also, Altova, page 55-58, teaching validating for mandatory elements and insertion of missing mandatory elements. Further, see, Altova, page 546, teaching the XML parser that checks the document for well-formedness and validates it "against any specified DTD, DCD, XDR, BizTalk, or XSD Schema.")

Regarding **dependent claim 12, as amended**, Altova in view of Monson teaches:

> *The method according to claim 11, wherein the modifying of the particular*
>
> *editing controls of the input structured document to produce the modified*
>
> *structured document comprises:*
>
> *creating new editing controls in the modified structured document*
>
> *providing that the new editing controls are lacking in the input structured*
>
> *document and providing that the new editing controls are required in the*
>
> *particular version of the processing functionality although considered optional by*
>
> *its schema.*

(The rejection of claim 1 is incorporated herein by this reference. See also, Altova,

page 55-58, teaching validating for mandatory elements and insertion of missing

mandatory elements. See also, Altova, page 186-188, teaching functions of

automatically generating mandatory and non-mandatory attributes.)

Regarding **dependent claim 13, as amended**, Altova in view of Monson teaches:

> *The method according to claim 1, wherein the expected editing controls*
>
> *are specified by a schema associated with the particular version of the*
>
> *processing functionality.*

(The rejection of claim 1 is incorporated herein by this reference. See also, Altova,

page 186-188, teaching functions of automatically generating mandatory and non-

mandatory attributes as defined in the schema.)

Regarding **dependent claim 14, as amended**, Altova in view of Monson teaches:

> *The method according to claim 1, wherein the expected editing controls*
>
> *are specified by some information other than a schema associated with the*
>
> *particular version of the processing functionality.*

(The rejection of claim 1 is incorporated herein by this reference. See also, Altova,

pages 108 and 204, teaching use of an XSL stylesheet to an XML document.)

Regarding **dependent claim 15**, Altova in view of Monson teaches:

> *The method according to claim 1, corresponds to a markup language*
>
> *document wherein the input structured document generated by an earlier version*
>
> *of the processing functionality compared to the particular version.*

(The rejection of claim 1 is incorporated herein by this reference. See also, Altova,

page 150-151, teaching comparing two XML files. See also, Altova, page 208, teaching

that the software could "import any structured text file into XML." There was no

limitation placed on which document was more recent.)

Regarding **dependent claim 16**, Altova in view of Monson teaches:

> *The method according to claim 1, wherein the input structured document*
>
> *corresponds to a markup language document generated by a later version of the*
>
> *processing functionality compared to the particular version.*

(The rejection of claim 1 is incorporated herein by this reference. See also, Altova,

page 150-151, teaching comparing two XML files. See also, Altova, page 208, teaching

that the software could "import any structured text file into XML." There was no

limitation placed on which document was more recent.)

Regarding **dependent claim 17**, Altova in view of Monson teaches:

> *The method according to claim 1, wherein the modifying is performed*
>
> *using an upgrade module, and wherein the upgrade module is developed without*
>
> *knowledge of any requirements of any input structured document.*

(The rejection of claim 1 is incorporated herein by this reference. It is noted that the use

of any new or revised DTD, stylesheet or schema will "upgrade" a document, as

"upgrade module" is disclosed in the specification. See also, Altova, figure 13, and

disclosure, page 32, lies 1-10. See, Altova, pages 184-204, teaching modification to

DTD/schemas.)

Regarding **dependent claim 18, as amended**, Altova in view of Monson teaches:

> *The method according to claim 1, wherein modifying of the particular*
>
> *editing controls of the input structured document to produce the modified*
>
> *structured document comprises:*
>
> *creating new editing controls in the modified structured document*
>
> *providing that the new editing controls are lacking in the input structured*

document and providing that the new editing controls are required in the

particular version of the processing functionality.

(Claim 18 incorporates substantially similar subject matter as claimed in claim 1 and

claim 18 is rejected along the same rationale as the rejection of claim 1.)

Regarding **dependent claim 19, as amended**, Altova in view of Monson teaches:

The method according to claim 1, wherein modifying of the particular

editing controls of the input structured document to produce the modified

structured document comprises:

omitting from the modified structured document existing editing controls in

the input structured document that are not required in the particular version of the

processing functionality.

(Claim 19 incorporates substantially similar subject matter as claimed in claim 1 and

claim 19 is rejected along the same rationale as the rejection of claim 1.)

Regarding **independent claim 20, as amended**, Altova in view of Monson teaches:

A method for generating an upgrade module for upgrading documents for

processing by processing functionality, comprising:

determining whether a particular version of the processing functionality

has been created that warrants generation of the upgrade module; and

generating the upgrade module if the creation of the particular version

warrants the generation of the upgrade module, wherein the upgrade module is

configured to modify an input structured document having particular editing

controls associated therewith to create an updated document which conforms to

a set of expected editing controls associated with the particular version of the

processing functionality.

(Claim 20 incorporates substantially similar subject matter as claimed in claim 1 and, in

further view of the following is rejected along the same rationale. See, Altova, page

150-151, teaching comparing two XML files. See also, Altova, pages 184-204, teaching

modification to DTD/schemas.)

Regarding **dependent claim 21**, Altova in view of Monson teaches:

The method of claim 20, wherein the upgrade module is formed using the

extensible stylesheet language (XSL).

(The rejection of claim 20 is incorporated herein by this reference. See also, Altova,

page 108, teaching use of and XSL stylesheet to view the output from an XSLT

transformation to HTML. See also, Altova, page 204, teaching that the applied XSL

stylesheet may be changed to any available such stylesheet.)

Regarding **dependent claim 22, as amended**, Altova in view of Monson teaches:

The method according to claim 20, wherein the updated module is

configured to create new editing controls in the input structured document such

that the updated document conforms to the set of expected editing controls

associated with the particular version of the processing functionality.

(Claim 22 incorporates substantially similar subject matter as claimed in claim 20 and

claim 22 is rejected along the same rationale as the rejection of claim 20.)

Regarding **dependent claim 23, as amended**, Altova in view of Monson teaches:

The method according to claim 20, wherein the update module is

configured to omit editing controls in the input structured document from updated

document such that the updated document conforms to the set of expected

editing controls associated with the particular version of the processing

functionality.

(Claim 23 incorporates substantially similar subject matter as claimed in claim 20 and

claim 23 is rejected along the same rationale as the rejection of claim 20.)

Regarding **independent claim 24, as amended**, Altova in view of Monson teaches:

An apparatus for processing documents, comprising:

an upgrade module configured to modify an input structured document

having particular editing controls associated therewith so that the input structured

document conforms to a set of expected editing controls associated with a

particular version of the apparatus, to thereby produce a modified structured

document; and

a transformation module configured to transform the modified structured

document into another document suitable for presentation.

(Claim 24 incorporates substantially similar subject matter as claimed in claim 1 and

claim 24 is rejected along the same rationale as the rejection of claim 1.)

Regarding **independent claim 25, as amended**, Altova in view of Monson teaches:

An apparatus for generating an upgrade module for upgrading documents

for processing by processing functionality, comprising:

logic configured to determine whether a particular version of the

processing functionality has been created that warrants generation of the

upgrade module; and

logic configured to generate the upgrade module if the creation of the

particular version warrants the generation of the upgrade module, wherein the

upgrade module is configured to modify an input structured document having

particular editing controls associated therewith to create an updated document

which conforms to a set of expected editing controls associated with the

particular version of the processing functionality.

(Claim 25 incorporates substantially similar subject matter as claimed in claim 20 and

claim 25 is rejected along the same rationale as the rejection of claim 20.)

Regarding **independent claim 26, as amended**, Altova in view of Monson teaches:

A computer readable medium having stored thereon an information

structure, comprising:

an upgrade module information structure configured to modify an input

structured document having particular editing controls associated therewith so

that the input structured document conforms to a set of expected editing controls

associated with a particular version of a processing apparatus, to thereby

produce a modified structured document; and

a transformation module information structure configured to transform the

modified structured document into another document suitable for presentation.

(Claim 26 incorporates substantially similar subject matter as claimed in claim 1 and

claim 26 is rejected along the same rationale as the rejection of claim 1.)

Response to Arguments

Applicants' arguments filed March 16, 2006 have been fully considered, but they

are not persuasive.

Regarding rejections of **claims 1-26**:

Applicants argue that the Amendments would avoid the prior art and place the

claims in a condition for allowance.

The Examiner disagrees.

Upon further consideration of the claims in light of the interview with the

Applicants' attorney, and upon further review of the prior art, and in light of the

amendments, further relevant prior art was identified. For the reasons identified in the

rejections above, the amended claims are not patentable over the prior art.

Additional Prior Art

10.   The following prior art is made of record and not relied upon that is considered

pertinent to applicants' disclosure:

Evans (U.S. Patent 5,179,703), teaching dynamic adaptation of program

commands systems.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in

this Office action.   Accordingly, **THIS ACTION IS MADE FINAL**.   See MPEP

§ 706.07(a).   Applicant is reminded of the extension of time policy as set forth in 37

CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS for the mailing date of this action.   In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action.   In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Michael K. Botts whose telephone number is 571-272-

5533.   The examiner can normally be reached on Monday through Friday 8:00-4:00

EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Heather Herndon can be reached on 571-272-4136.   The fax phone

number for the organization where this application or proceeding is assigned is 571-

273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system.   Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

MKB/mkb

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